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6
7 IN THE CIRCUIT COURT OF THE STATE OF OREGON
8
9 FOR THE COUNTY OF MULTNOMAH

10 ADAM SULIEMAN, an Oregon resident,

Case No.

11 Plaintiff,

12 COMPLAINT
(Negligence – Automobile)

v.

13 LUBE MANAGEMENT CORP, a Utah
corporation, dba Jiffy Lube; K LUBE, LLC, dba
Jiffy Lube 2527,

14 Damages: \$10,000 – ORS 20.080

15 (Claim Subject to Mandatory Arbitration)

16 Jiffy Lubes.

17 Plaintiff alleges as follows:

18 1.

19 At all material times,

20 a) Plaintiff Adam Sulieman was an Oregon resident, residing in Multnomah County.

21 b) Jiffy Lube Lube Management Corp was a Utah Corporation, doing business as
Jiffy Lube in Oregon.

22 c) Jiffy Lube K Lube, LLC was an Oregon Limited Liability Company, doing
business as Jiffy Lube 2527.

23 d) Jiffy Lube Lube Management Corp, doing business as Jiffy Lube and Jiffy Lube
K Lube, LLC, doing business as Jiffy Lube 2527 are agents, subsidiaries,

1 franchises or otherwise related entities and are hereby referred to jointly as "Jiffy
2 Lube."

3 2.

4 On or about August 16, 2018, Plaintiff took his 2007 Dodge Sprinter Van to Jiffy Lube
5 2527, located at 521 NE 181st Avenue, in Portland, Multnomah County, Oregon, 97230, to have
6 the oil changed.

7 3.

8 During the service visit, Plaintiff observed the staff moving about in a panic with regards
9 to his vehicle; however, no problems or irregularities were reported to him so he paid for his
10 service visit and drove away.

11 4.

12 A short time after leaving, the engine of his van seized and locked up rendering the van
13 undrivable.

14 5.

15 An inspection of the engine determined that the engine failed because there was
16 transmission fluid contamination in the engine; the inspection also found that although the oil
17 level was full, it was the incorrect oil. The engine will need a full replacement.

18 6.

19 Jiffy Lube service technicians erroneously put transmission fluid in Plaintiff's van during
20 his service visit before correcting and putting oil in, causing Plaintiff's damages as set forth
21 below.

22 **COUNT ONE**

23 **(Negligence)**

24 7.

25 Plaintiff realleges and incorporates paragraphs 1 through 6 above.

1 8.

2 Jiffy Lube was negligent in one or more of the following particulars:

3 a) In failing to exercise proper care in providing oil change services;

4 b) In failing to properly address and correct the error when it was made; and

5 c) In failing to notify Plaintiff of the error the service technicians made so he would

6 not drive his van until the engine was inspected and repaired.

7 9.

8 The negligent acts of Jiffy Lube alleged herein were the foreseeable, sole, direct, and
9 proximate cause of the engine failure of Plaintiff's van.

10 10.

11 As a direct and foreseeable result of Jiffy Lube's negligence and resulting property
12 damage, Plaintiff has experienced \$28,509.61 in economic damages.

13 11.

14 Plaintiff uses his van to deliver perishable inventory that has since expired because he
15 could not drive; approximately \$3,000 in inventory has been lost due to spoilage. Additionally,
16 he has been unable to operate his ice cream truck for approximately 10 months, to date, and as a
17 result he has lost income in the amount of \$10,000. Plaintiff is not seeking recovery for these
18 damages.

19 12.

20 As a direct and foreseeable result of Jiffy Lube's negligence, the cost to replace the
21 engine of Plaintiff's van is \$15,509.61. Plaintiff is seeking recovery of \$10,000, or a reasonable
22 amount to be determined at trial, not to exceed \$10,000.

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24 ///

25 COMPLAINT - 3

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13.

In accordance with ORS 20.080, Plaintiff submitted a demand to Jiffy Lube more than thirty (30) days prior to filing a formal Complaint and is consequently entitled to the recovery of his attorney's fees.

WHEREFORE, Plaintiff prays for judgment against Jiffy Lubes as follows:

- 1) For Plaintiff's economic damages in a reasonable amount to be determined at trial but not to exceed \$10,000;
- 2) For Plaintiff's attorney fees pursuant to ORS 20.080;
- 3) For Plaintiff's costs and disbursements incurred during this action;
- 4) For prejudgment and post judgement interest; and
- 5) Any other remedy the Court deems just and equitable.

DATED this 26th day of June, 2019.

15 GHANDOUR LAW, LLC



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